

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MELISSA JACKSON	:	CIVIL ACTION
Plaintiff	:	
v.	:	
	:	
UNITED AIRLINES, INC.	:	NO. 13-6227
Defendant	:	

**ORDER**

AND NOW, this 15th day of July, 2014, IT IS HEREBY ORDERED that:

1. For the reasons set forth in the accompanying memorandum, the defendant's motion to dismiss Plaintiff's first amended complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and (12)(b)(6) (Dkt. 19) is GRANTED IN PART and DENIED IN PART as follows:
  - a. Count 2 of Plaintiff's amended complaint is dismissed for lack of subject matter jurisdiction. Defendant's motion to dismiss the remaining counts pursuant to Rule 12(b)(1) is DENIED.
  - b. Defendant's motion to dismiss pursuant to Rule 12(b)(6) is DENIED.
2. The defendant's motion to dismiss Plaintiff's first amended complaint for failure to join the union pursuant to Rule 12(b)(7) (Dkt. 18) is DENIED.
3. Defendant shall answer the Plaintiff's first amended complaint within 14 days of this order.

BY THE COURT:

/s/ J. William Ditter, Jr.  
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J. WILLIAM DITTER, JR., J.

